

PANAMA CANAL AND TREATIES NEGOTIATED BY GREAT BRITAIN AND U. S. TO SETTLE ITS STATUS

A Plain Statement of Events Leading Up to Present Protest

To give a proper understanding of the present controversy over the right of the United States to operate the Panama canal as it chooses, it is necessary to review the history of the treaties on the subject of oceanic canals. In 1850 there was a strong public interest aroused over the matter of a possible canal between the Atlantic and Pacific oceans. The discovery of gold in California and the results of the Mexican war had brought a large population to the Pacific Coast, and further immigration was extending hither. The projects for transcontinental railroads were yet in their vague infancy. The country was poor, and if the canal were to be built it would be necessary to enlist foreign capital, preferably from Great Britain, then the leading financial nation of the world. Yet the United States naturally wanted some voice in the construction and operation of this canal. At the time no thought was had of cutting a canal by other than the Nicaragua route.

It was in these circumstances that the Clayton-Bulwer treaty was negotiated between the United States and Great Britain for the purpose, as recited in the preamble, of fixing "the views and intentions" of the contracting parties "with reference to any means of communication by ship canal, which may be constructed between the Atlantic and Pacific oceans by the way of the river San Juan de Nicaragua, and either of both of the lakes of Nicaragua and Managua to any port or place on the Pacific Coast."

By article I. of this convention it was provided that: "The governments of the United States and Great Britain hereby declare that neither the one nor the other will ever obtain or maintain for itself any exclusive control over said ship canal, agreeing that neither will ever erect or maintain any fortifications commanding the same or the vicinity thereof, or occupy, fortify or colonize or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito coast or any part of Central America."

It was agreed further that the two governments jointly would protect any company which might take over the work of cutting the canal.

Years passed; the treaty became

obsolete, through changed conditions, but remained to hamper the United States, should this country ever undertake the work of cutting the Nicaragua canal. Attempts were made from time to time for many years to secure Great Britain's consent to an abrogation of the treaty, but the matter never became of acute moment until the Spanish war demonstrated the military necessity for the construction of an interoceanic canal.

In March, 1899, Congress, under compulsion of public sentiment, passed a law providing for the appointment of a commission to select the best route for an interoceanic canal, and such a commission, headed by Admiral Walker, was appointed. About the same time negotiations were opened with Great Britain for a revision of the Clayton-Bulwer treaty, in anticipation of the selection of the Nicaragua route. In February, 1900, the first Hay-Pauncefote convention was negotiated, as stated in it, "to facilitate the construction of a ship canal to connect the Atlantic and Pacific oceans, and to that end to remove any objection which might arise out of the convention of April 19, 1850, commonly called the Clayton-Bulwer treaty, to the construction of such a canal, under the auspices of the government of the United States."

The Senate of the United States amended this treaty by placing in it two provisions, one abrogating, in terms the Clayton-Bulwer treaty, the other giving the United States the right to take such measures as it considered necessary for the defense of the canal. The British government refused at first to accept these amendments. After the interchange of several notes, a new convention was negotiated which abrogated the Clayton-Bulwer treaty and conceded the right of the United States to construct the canal, and conceded, as well, the exclusive right of providing for the regulation and management of the canal. It contained also the following provision, over which the present controversy has arisen: "The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable."

The second treaty was ratified by the Senate on December 16, 1901, On

November 16, 1901, just one month previous to the ratification of the treaty, the canal commission had made a report, favoring the selection of the Nicaragua route. When the treaty was ratified there was no one who had in serious thought the idea that the canal would be constructed elsewhere than by way of Nicaragua.

Change in Situation. Shortly after the ratification of the treaty the House passed the Hepburn bill, providing for the immediate commencement of the work of cutting the canal by way of Nicaragua, making an appropriation of \$10,000,000 and authorizing the letting of contracts for expenditures aggregating \$140,000,000 in addition. Before this bill was acted upon by the Senate there came a change in the situation. The French company, then engaged in cutting the Panama canal, became alarmed at the prospect of a competing canal operated by the government of the United States, aware that in face of such threatened competition it could secure no more capital with which to complete its work. So it reduced the price at which it offered to sell to the United States from \$100,000,000, the original figure, to \$40,000,000. The canal commission, after seriously studying the whole subject anew, filed a supplemental report, recommending the acceptance of the Panama route instead of that by Nicaragua originally recommended.

Panama Route Substituted. In the Senate Spooner offered an amendment to the Hepburn bill, striking out all following the enacting clause, and substituting a Panama canal bill. After lengthy debate and bitter opposition, the Spooner amendment was accepted by the Senate, and the bill as amended passed on June 19, 1902. It was accepted by the House on June 26, being thereafter promptly signed by the President.

The original Clayton-Bulwer treaty contained no limitations on the right of the United States to construct a canal by way of Panama, but referred only to Nicaragua. If there are limitations now upon the right of the United States to operate the canal out at Panama, they are imposed solely by the Hay-Pauncefote treaty, which was negotiated and ratified, so far as this country is concerned, with the idea that it was relieving the United States of existing limitations rather than imposing new ones upon it. It was negotiated, at the time, entirely with the idea in view that the canal was to be by Nicaragua, and contained absolutely no direct reference to the Panama canal at all.

GEN. PERSHING ORDERS PROPER RESPECT TO FLAG

MANILA, August 15.—The following unique but patriotic order, concerning respect for the American flag, has been issued by Brigadier-General John J. Pershing, commanding the department of Mindanao:

"The Nation's Flag is the supreme symbol of that lofty patriotism without a controlling measure of which the Republic could not long endure."

"Both in war and in preparation for war, the high duty of the Army to stimulate and develop love of country among the people should ever prompt a faithful adherence to the external forms and ceremonies of respect for the National Colors."

"When an individual pays the prescribed honors to the flag in a careless and perfunctory manner his patriotism at once falls under just suspicion. It is therefore ordered that, during the playing of the National Air at retreat wherever troops are stationed, silence will be maintained, both work and play will cease, vehicles will halt and officers or enlisted men therein will alight and stand attention."

"Children should be taught to assume the required position of respect toward the flag, and should learn from their own parents the full meaning of this fundamental lesson in patriotism."

"Civilians, of whatever race or nationality, within sight or hearing of the flag and music at retreat, will be courteously enlightened, should they fail to stand in respectful attitude, and in any case of disrespect, the offender will be promptly escorted off the post."

"The ceremony of Escort of the Color will be held at frequent intervals and will be made as solemn and impressive as possible under the regulations. When recruits join their regiments for duty with the Colors, the Escort should be given for their benefit as the crowning rite of their entry into the service."

"A rigid observance of the outward expressions of devotion and honor to the National Emblem and the National Air is enjoined upon all persons within this Department. In the knowledge that the reverential attitude will be to him who inherits allegiance to the Star Spangled Banner, a benediction; and will bring to the alien who comes under its protecting folds, a new hope and a new inspiration."

NAVY TO HAVE A RIFLE RANGE HERE

Honolulu is likely to be a more frequent port of call for the ships of the U. S. Pacific fleet, even before the Pearl Harbor naval station is completed. This will be the case if the present plan for a navy rifle range is carried out, and it now seems probable that this will be the case.

During the last few weeks Admiral Cowles, Major Neville, commanding the marine battalion, and Captain McDougall, U. S. M. C., one of the recognized authorities of the service on small arms firing, have been looking over various sites for a thoroughly modern rifle range. There are several locations under consideration, not too far removed from Pearl Harbor, and the chances are that the Bureau of Navigation, under the jurisdiction of which target ranges come, will authorize the necessary expenditure for building the butts and putting up the buildings.

A target range for Oahu has been strongly recommended by high officials of the Navy Department, and it is probable that every effort will be made to secure it.

Dawson, Alaska, recently celebrated the sixteenth anniversary of discovery of gold on Bonanza by George Carmack. The celebration was under the auspices of the Yukon Order of Pioneers. A great parade was held, with numerous frontier scenes depicted on floats.

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FORMER HONOLULU BOY TELLS OF MANY CHANGES IN CHINA

Tin Yen Tong, a son of Tong Pheng, formerly one of Honolulu's merchant princes, is now a visitor in this city, the place of his birth. Tong has just completed his second trip to China and will return to the United States next Tuesday to complete his education at the Connecticut Agricultural College at Storrs, Conn. Tong was a former Punahou student, but he left Honolulu five years ago for New York to join his father, who has one of the finest Oriental bazaar in America today.

On his recent visit to China passing through here four months ago, Tong had the opportunity of observing many changes now going on in that country. He returned a few days ago from the Orient, and during his stopover he is the guest of Mr. Hong Quon of Sing Chong Co.

"The village where my relatives make their homes is an entirely different one from what I saw about fifteen years ago. You may be surprised to learn that the English language is taught there at present. The prominent people are now raising funds for the construction of new schools for boys and girls. Just think how progressive the people are today. Even the younger generations are discussing topics concerning the affairs of the government. I am exceedingly pleased with my recent trip which gave me many experiences."

Tong is especially interested in agriculture and he hopes some day to introduce into China the new methods of hatching chickens and of tilting the

soil which his college education affords him.

"MR. O. JOY" SCORES HIT AT OPERA HOUSE

In "Mr. O. Joy," their third new bill as presented at the Opera House last night, the Ferris Hartman aggregation scored a distinct success on the personality of the company alone, for it may be said without fear of contradiction that all the plot contained in the tinsel musical comedy could be inserted in a gnat's eye without the insect feeling the need of an oculist.

Ferris Hartman, as "Mr. O. Joy" was in a congenial role, but the bright particular twinkle was Miss Muggins Davies.

Walter De Leon had but a small part in the comedy itself, but he was a strong young favorite in several interpolated specialties.

"Mr. O. Joy" will hold the boards this evening.

"What happens when you put the dollar before the man?" bawled the candidate.

"The man goes after it," answered an old farmer in the crowd.

It is proposed to build in New York city a permanent exposition building for the display of women's garments, and it is explained that the manufacture of such garments ranks as the fifth industry in size in the country.

MANOA FINDS ENCOURAGEMENT TO INCORPORATE

Encouraging advices have been received by the committee of citizens of Manoa appointed to investigate the feasibility of incorporating that district into a city. One communication received by a member of the committee comes from James A. Ballentine, city attorney of Piedmont, Cal., in the county of Alameda. Instead of joining the city of Oakland, that district ventured to test a government of its own.

In part City Attorney Ballentine says: "Piedmont was incorporated under the general laws of the state in January, 1907, as a city of the sixth class. We then had about 650 inhabitants. We now have about 2200. We have all we could get under a large city government in the way of fire and police protection. Our schools are excellent in the state. Our streets are well paved and well lighted. In fact we have much more than we could get if we were annexed to Oakland, and yet our tax rate has been much lower."

"All Baba" said the grand vizier in great excitement, "says he has discovered forty thieves."

"All Baba?" echoed the caliph. "What pawrty's candidate is he?"

The salt of the oceans is enough, if collected, to cover the United States all over with a uniform layer more than a mile and a half high.

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THE OUTLET

* PERPETRATED BY WALT McDOUGALL *

HOW TRUE!
To be consigned to cold storage along with the bunk that is handed to the summer visitor that "you should have been here last month when the fish were a-biting!" is the opinion of the eminent financier, as if were, who now puts across the dope that "business will pick up as soon as the next presidential election is settled."

Enos: "What are ye doin', Si?"
Si: "Smokin' and thinkin'!"
Enos: "What ye thinkin' about?"
Si: "Smokin'."

GETTING IN THE FIRST BLOW.

I CONSIDER IT ACTUALLY DISGRACEFUL BUT—

IT'S ENTIRELY TOO CONSPICUOUS!

HOW PERFECTLY ABSURD!

SO THAT IT'S

NOTHING TO IT!

WHAT A SHOCKING DISPLAY!

WHY, IT'S A JOKE!

AT THE DRESSMAKER'S CONVENTION.
FIRST VIEW OF THE NEW SPLIT SKIRT AND THE HOOP SLEEVES.